

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ROBERT L. CLARK,

Petitioner,

v.

PAUL ROBINSON,

Respondent.

Filed at 1200 P M
DATE 11-7-06
John L. Clark
DEPUTY CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

NO. 5:06-CV-337 (DF)

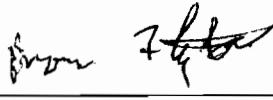
ORDER

Petitioner **ROBERT L. CLARK**, an inmate at Washington State Prison in Davisboro, Georgia, filed the above-captioned 28 U.S.C. § 2254 proceeding in this Court on September 26, 2006. Petitioner claims that he is attacking a conviction obtained in the Superior Court of Haralson County, Georgia.

Just five days earlier, on September 21, 2006, petitioner filed the exact same petition for writ of habeas corpus in this Court. *See Clark v. Robinson*, 5:06-CV-328. Based on the long-standing practice to cause all such petitions to be filed in, or transferred to, the district within which the state prisoner was convicted, the Court transferred Case No. 5:06-CV-328 to the Northern District of Georgia because Haralson County is located in the Northern District of Georgia.

There simply is no need for petitioner to re-file the identical 28 U.S.C. §2254 petition that he filed on September 21, 2006. Therefore, the current action is **DISMISSED** because it is duplicative of Case No. 5:06-CV-328.

SO ORDERED, this 7 day of NOVEMBER, 2006.


DUROSS FITZPATRICK
UNITED STATES DISTRICT JUDGE